

SENATE BILL NO. 230

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Introduced: 3/11/22

Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing a \$25 fee to construct or use a trapping cabin on state land; and**
2 **exempting trapping cabin permittees from additional land use fees."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 38.05.850(a) is amended to read:

5 (a) The director, without the prior approval of the commissioner, may issue
6 permits, rights-of-way, or easements on state land for roads, trails, ditches, field
7 gathering lines or transmission and distribution pipelines not subject to AS 38.35,
8 telephone or electric transmission and distribution lines, log storage, oil well drilling
9 sites and production facilities for the purposes of recovering minerals from adjacent
10 land under valid lease, and other similar uses or improvements, or revocable,
11 nonexclusive permits for the personal or commercial use or removal of resources that
12 the director has determined to be of limited value. The commissioner, upon
13 recommendation of the director, shall establish a reasonable rate or fee schedule to be
14 charged for these uses, subject to AS 38.95.075(b), 38.95.080(f), and the exception

for nonprofit cooperative associations specified in (b) of this section. In the granting, suspension, or revocation of a permit or easement of land, the director shall give preference to that use of the land that will be of greatest economic benefit to the state and the development of its resources. However, first preference shall be granted to the upland owner for the use of a tract of tideland, or tideland and contiguous submerged land, that is seaward of the upland property of the upland owner and that is needed by the upland owner for any of the purposes for which the use may be granted.

* **Sec. 2.** AS 38.95.075 is amended to read:

Sec. 38.95.075. Permits for the use of trapping cabins. Except where a resource management conflict exists, the commissioner shall issue a nonexclusive, nontransferable permit to an individual for the use of a trapping cabin when the applicant pays a permit fee of \$25 and provides to the commissioner a verified statement by the local fish and game advisory committee of the area in which the cabin is located that states that

(1) the applicant had used the cabin on a regular basis for trapping before August 1, 1984;

(2) the past, present, and intended use of the cabin is for temporary shelter while trapping; and

(3) the applicant is the owner of the cabin or has the concurrence of the owner of the cabin or there is no owner of the cabin.

* **Sec. 3.** AS 38.95.075 is amended by adding a new subsection to read:

(b) The department may not charge an additional land use fee for the use of a trapping cabin authorized by a permit issued under this section.

* **Sec. 4.** AS 38.95.080(c) is amended to read:

(c) The director shall establish, by regulation, conditions attaching to the permit issued under (a) and (b) of this section. These conditions shall include the following:

(1) permits shall be issued for a period of not more than 10 years, with succeeding 10-year renewal options, if periodic use and occupancy is established [,] and the qualifications of (a) of this section continue to be met;

(2) a cabin shall be constructed and maintained according to

1 reasonable specifications established by the director; one cabin constructed under a
2 permit may contain not more than 400 square feet; however, in no case may another
3 cabin constructed under the same permit exceed 192 square feet;

4 (3) a permit shall specify the number of cabins allowed to be
5 constructed and indicate their specific geographical location; the director may
6 establish a maximum number of cabins a [PER] person **may construct** or otherwise
7 limit their number because of the probability of adverse consequences;

8 (4) adequate provision must be made for waste and garbage disposal,
9 as determined by the director;

10 (5) [THE] payment of a trapping cabin permit fee of **\$25** [\$10].

11 * **Sec. 5.** AS 38.95.080 is amended by adding a new subsection to read:

12 (f) The department may not charge an additional land use fee for the use or
13 construction of a trapping cabin authorized by a permit issued under this section.

14 * **Sec. 6.** AS 38.95.085 is amended by adding a new paragraph to read:

15 (3) "department" means the Department of Natural Resources.